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**United Nations
Environment
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**Conference of the Parties to the
Minamata Convention on Mercury
First meeting**

Geneva, 24–29 September 2017

Item 2 (e) of the provisional agenda*

Organizational matters: organization of work

Annotations to the provisional agenda

Item 1

Opening of the meeting

1. The first meeting of the Conference of the Parties to the Minamata Convention on Mercury, to be held from 24 to 29 September 2017 at the International Conference Centre in Geneva, will be opened at 3 p.m. on Sunday, 24 September 2017.
2. Opening statements will be made by representatives of the Government of Switzerland and the United Nations Environment Programme.

Item 2

Organizational matters

(a) Adoption of the rules of procedure

3. The Conference may wish to decide to adopt the rules of procedure as set out in document UNEP/MC/COP.1/3.

(b) Election of officers

4. Subject to the rules of procedure, the Conference will elect a bureau to serve until the conclusion of the second meeting of the Conference, consisting of the following officers:

- (a) President;
- (b) Nine Vice-Presidents, one of whom shall act as Rapporteur.

5. Upon his/her election, the President shall preside in accordance with the rules of procedure. Until the election of the President, the meeting will be presided over by the Executive Director of UNEP or his representative.

(c) Adoption of the agenda

6. The Conference may wish to adopt its agenda on the basis of the provisional agenda as contained in document UNEP/MC/COP.1/1.

* UNEP/MC/COP.1/1.

(d) Appointment of the credentials committee

7. The Bureau of the Conference may be requested to function as a credentials committee and, with the assistance of the secretariat, to examine credentials and full powers as appropriate, and report to the Conference thereon.

(e) Organization of work

8. The Conference of the Parties may wish to meet on Sunday 24 September from 3 p.m. to 6 p.m. and then daily starting on Monday 25 September from 10 a.m. to 1 p.m. and from 3 p.m. to 6 p.m., subject to adjustment as necessary.

9. During the meeting, the Conference of the Parties may wish to establish a committee of the whole to work on substantive issues as contained in agenda items 5 and 6 of the provisional agenda. The Committee of the Whole may wish to establish small groups and other in-session working groups as it may deem necessary and to specify their mandates.

Item 3

Report of the credentials committee

10. The credentials committee, with the assistance of the secretariat, will examine the credentials of party representatives to the first meeting of the Conference of the Parties and report to the Conference thereon.

Item 4

Report on the achievements of the intergovernmental negotiating committee to prepare a global legally binding instrument on mercury

11. The Conference has before it a note from the secretariat with a report on the achievements of the intergovernmental negotiating committee to prepare a global legally binding instrument on mercury (UNEP/MC/COP.1/4). The Conference may wish to note the progress made and to express its appreciation to the Committee and its Chair.

Item 5

Matters for action by the Conference of the Parties at its first meeting

12. The Conference of the Parties has been given responsibility for taking decisions on a number of matters at its first meeting. The obligation to take such decisions is drawn from the following:

(a) The text of the Minamata Convention on Mercury;

(b) The Final Act of the Conference of Plenipotentiaries on the Minamata Convention on Mercury as set out in document UNEP(DTIE)/Hg/CONF/4;

(c) Matters recommended by the intergovernmental negotiating committee for action by the Conference of the Parties.

13. In addition, as part of bringing the secretariat into full operation, the first meeting of the Conference of the Parties will need to reach agreement on the programme of work for the secretariat and its associated budget for the period 2018–2019.

(a) Matters stipulated under the Convention

(i) The guidance in relation to article 3, particularly in regard to paragraphs 5 (a), 6 and 8 of article 3

14. Article 3 of the Convention, on mercury supply sources and trade, provides, in paragraph 12, that the Conference of the Parties shall, at its first meeting, provide further guidance in regard to that article, particularly in regard to paragraphs 5 (a), 6 and 8.

15. The guidance on those issues and the forms for obtaining consent to import mercury, which have been adopted on a provisional basis by the intergovernmental negotiating committee, are provided to the Conference of the Parties in document UNEP/MC/COP.1/5, along with a draft decision for adoption.

(ii) The required content of the certification referred to in paragraphs 6 (b) and 8 of article 3

16. Article 3 of the Convention, on mercury supply sources and trade, further provides, in paragraph 12, that the Conference of the Parties shall, at its first meeting, develop and adopt the required content of the certification referred to in paragraphs 6 (b) and 8.

17. The required content was adopted on a provisional basis by the intergovernmental negotiating committee at its sixth session, and is provided to the Conference of the Parties in document UNEP/MC/COP.1/6, along with a draft decision for adoption.

(iii) The guidance referred to in paragraphs 8 (a) and 8 (b) of article 8

18. Paragraph 8 of article 8 of the Convention, on emissions, provides that the Conference of the Parties shall, at its first meeting, adopt guidance on best available techniques and on best environmental practices, taking into account any differences between new and existing sources and the need to minimize cross-media effects; and on support for parties in implementing the measures set out in paragraph 5, in particular in determining goals and in setting emission limit values.

19. At its seventh session, the intergovernmental negotiating committee adopted those guidance documents on a provisional basis. The guidance documents are provided to the Conference of the Parties in document UNEP/MC/COP.1/7, along with a draft decision for adoption.

(iv) The measures to give effect to the arrangements for the financial mechanism referred to in article 13

20. Paragraph 5 of article 13 of the Convention establishes a mechanism for the provision of adequate, predictable and timely financial resources. As set out in paragraph 6 of article 13, the mechanism will include two components: the Global Environment Facility Trust Fund and a specific international programme to support capacity-building and technical assistance. In paragraph 7 of article 13, the Convention provides that the Global Environment Facility Trust Fund shall be operated under the guidance of and be accountable to the Conference of the Parties. Paragraph 9 of article 13 provides that the specific international programme will be operated under the guidance of and be accountable to the Conference of the Parties.

21. Guidance to the Global Environment Trust Fund is set out in document UNEP/MC/COP.1/8, while issues relating to the specific international programme are set out in documents UNEP/MC/COP.1/9 and UNEP/MC/COP.1/9/Add.1. A draft overall decision on the arrangements for the financial mechanism as set out in article 13 is annexed to documents UNEP/MC/COP.1/8 and UNEP/MC/COP.1/9. Additional information in relation to financial issues is set out in information documents provided to the Conference of the Parties, including a report on activities undertaken by the Global Environment Facility (UNEP/MC/COP.1/INF/3) and a report on the activities of the Special Programme to support institutional strengthening (UNEP/MC/COP.1/INF/4). The Conference may wish to consider the outstanding matters in relation to those guidance documents and adopt a decision thereon.

(v) The membership of the Implementation and Compliance Committee as referred to in paragraph 3 of article 15

22. Paragraph 1 of article 15 of the Convention, on the Implementation and Compliance Committee, established a committee as a subsidiary body of the Conference of the Parties to promote implementation of, and review compliance with, all provisions of the Convention. Matters relating to the membership of that committee are set out in document UNEP/MC/COP.1/10.

23. The Conference shall elect the first members of the committee and may wish to adopt a decision along the lines set out in the annex to that document.

(vi) The timing and format of the reporting to be followed by the parties, as referred to in paragraph 3 of article 21

24. Reporting obligations are set out in article 21 of the Convention. The first meeting of the Conference of the Parties is required to decide upon the timing and format of the reporting to be followed by the parties, taking into account the desirability of coordinating reporting with other relevant chemicals and wastes conventions. At its sixth and seventh sessions, the intergovernmental negotiating committee considered the reporting format and the timing of reporting, and the current draft format is set out in annex II to document UNEP/MC/COP.1/11.

25. The Conference may wish to consider and agree on the timing of reporting, including the date of submission of the first reports by parties and the frequency of reporting, and consider and adopt the reporting format.

(vii) The establishment of arrangements in regard to effectiveness evaluation as referred to in paragraph 2 of article 22

26. Article 22 of the Convention, on effectiveness evaluation, provides for an evaluation of the effectiveness of the Convention, and provides that the Conference of the Parties shall, at its first meeting, initiate the establishment of arrangements for providing itself with comparable monitoring data on the presence and movement of mercury and mercury compounds in the environment as well as trends in levels of mercury and mercury compounds observed in biotic media and vulnerable populations. At its sixth and seventh sessions, the intergovernmental negotiating committee considered the issue, and requested the secretariat to undertake intersessional work. The results of that work, including a road map for further work, are set out in document UNEP/MC/COP.1/12. The Conference may wish to consider that document and agree on future work on the matter. Further information which may be relevant to the consideration of monitoring is set out in document UNEP/MC/COP.1/INF/15.

(viii) Financial rules for the Conference of the Parties and any of its subsidiary bodies, as well as financial provisions governing the functioning of the secretariat, as referred to in paragraph 4 of article 23

27. The Conference of the Parties is required to consider and adopt financial rules for itself and any of its subsidiary bodies, as well as financial provisions governing the functioning of the secretariat. At its sixth and seventh sessions, the intergovernmental negotiating committee considered the draft financial rules, which are set out in document UNEP/MC/COP.1/13. Specific matters in the financial rules relating to the relationship between the United Nations Environment Programme and the multilateral environment agreements it hosts were considered at the second session of the United Nations Environment Assembly. The resolution adopted by the Environment Assembly on the matter is set out in document UNEP/MC/COP.1/INF/9. The Conference may wish to consider adopting the draft financial rules, with any changes that it may deem necessary.

(b) Matters stipulated by the Conference of Plenipotentiaries

(i) Provisions for the functions of the permanent secretariat of the Minamata Convention

28. The Conference of Plenipotentiaries requested the Executive Director of the United Nations Environment Programme to prepare a report setting out proposals on the ways in which he or she will perform the functions of the permanent secretariat for the Convention. That report is set out in document UNEP/MC/COP.1/14, and the Conference of the Parties may wish to consider those proposals.

(ii) Draft memorandum of understanding between the Conference of the Parties to the Minamata Convention and the Council of the Global Environment Facility

29. The Conference of Plenipotentiaries decided that the intergovernmental negotiating committee should develop, for consideration by the Conference of the Parties at its first meeting, a draft memorandum of understanding between the Council of the Global Environment Facility and the Conference of the Parties to the Minamata Convention. The draft agreement is provided in document UNEP/MC/COP.1/15. The Conference may wish to formally adopt a decision to approve the text and to enter into the memorandum of understanding with the Council of the Global Environment Facility.

(c) Matters recommended by the intergovernmental negotiating committee

(i) Adoption of forms to be used in requesting an exemption from the phase-out dates listed in Annex A and Annex B

30. Under article 6 of the Convention, any State or regional economic integration organization may register for one or more exemptions from the phase-out dates listed in Annex A, for mercury-added products, and Annex B, for manufacturing processes in which mercury or mercury compounds are used. Forms for the registration of such exemptions were adopted on a provisional basis by the intergovernmental negotiating committee and are set out in document UNEP/MC/COP.1/16. The Conference may wish to consider the draft decision set out in that document and to adopt the forms.

(ii) Guidance document on the preparation of national action plans for artisanal and small-scale gold mining

31. Article 7 of the Convention requires parties who have determined that artisanal and small-scale gold mining is more than insignificant in their territory to develop, and submit to the secretariat, a national action plan for its management. Guidance on the preparation of national actions plans is set out in document UNEP/MC/COP.1/17. The guidance developed by the World Health Organization on

public health issues related to artisanal and small-scale gold mining is set out in document UNEP/MC/COP.1/INF/12. The Conference may wish to consider the guidance on the preparation of national action plans for artisanal and small-scale gold mining, and agree to its ongoing use by parties in the preparation of their national action plans.

(iii) Physical location of the permanent secretariat

32. The Conference of Plenipotentiaries in its Final Act requested the Executive Director of the United Nations Environment Programme to present a report, as part of the proposals for delivery of the secretariat, which included an analysis of different locations for the secretariat. A draft decision on the location is provided in document UNEP/MC/COP.1/18. The Government of Switzerland submitted an offer to host the permanent secretariat in Geneva (document UNEP/MC/COP.1/INF/7). Following a request from the intergovernmental negotiating committee, the Government of Switzerland provided clarification of that offer (document UNEP/MC/COP.1/INF/8). An analysis of the clarification of the offer is set out in document UNEP/MC/COP.1/28. The Conference may wish to adopt a decision on the physical location of the permanent secretariat.

(iv) Consideration of the report on open burning

33. Following a request from the intergovernmental negotiating committee at its fifth session, the interim secretariat has prepared a report on mercury emissions related to the open burning of waste (document UNEP/MC/COP.1/19). The Conference may wish to consider the report and may also wish to consider requesting the secretariat to compile information on emissions from open burning as part of its overall consideration of the inventories submitted by countries and make that information available as background information at future meetings of the Conference.

(d) Programme of work of the secretariat and budget for the period 2018–2019

34. The secretariat has prepared a programme of work and budget for the period 2018–2019, set out in documents UNEP/MC/COP.1/21, UNEP/MC/COP.1/21/Add.1 (detailed consideration of the activities of the secretariat), UNEP/MC/COP.1/21/Add.2 (resource requirement for the staffing component), UNEP/MC/COP.1/21/Add.3 (indicative scale of assessments and projected assessed contributions) and UNEP/MC/COP.1/21/Add.4 (an overview presentation of the programme of work and budget by secretariat arrangement option). The interim secretariat has also provided a report on its work since the seventh session of the intergovernmental negotiating committee (UNEP/MC/COP.1/20), which may inform the discussions. Other documents regarding the work of the secretariat and support to parties include UNEP/MC/COP.1/INF/1 (information which may assist in implementation), UNEP/MC/COP.1/INF/2, (progress report from the United Nations Environment Programme Global Mercury Partnership), UNEP/MC/COP.1/INF/5 (report on activities undertaken by partner organizations), UNEP/MC/COP.1/INF/11 (update on the Strategic Approach to International Chemicals Management) and UNEP/MC/COP.1/INF/14 (relevant decisions from the meetings of the conferences of the Parties to Basel, Rotterdam and Stockholm). The meeting may wish to finalize its deliberations on the programme of work and budget of the Convention for 2018–2019 and adopt a decision in that regard.

Item 6

Matters stipulated by the Convention for action by the Conference of the Parties

(a) Consideration of whether trade in specific mercury compounds compromises the objective of the Convention and whether specific mercury compounds should, by their listing in an additional annex adopted in accordance with article 27, be made subject to paragraphs 6 and 8 of article 3

35. Paragraph 13 of article 3 of the Convention provides that the Conference of the Parties shall evaluate whether the trade in specific mercury compounds compromises the objective of the Convention. Matters relating to the issue are set out in document UNEP/MC/COP.1/22. The Conference may wish to consider the issue of trade in mercury compounds and agree to re-examine it at a future meeting.

(b) Reports submitted by parties implementing paragraph 2 of article 4 and review of the effectiveness of the measures

36. Paragraph 5 of document UNEP/MC/COP.1/22 sets out the obligation on the Conference of the Parties in relation to the progress and effectiveness of the measures taken under paragraph 2 of article 4. The meeting may wish to request the secretariat to compile and submit any such reports received to future meetings of the Conference.

(c) Review of Annex A referred to in paragraph 8 of article 4

37. Paragraph 4 of document UNEP/MC/COP.1/22 sets out the obligation on the Conference of the Parties under paragraph 8 of article 4 of the Convention to review Annex A to the Convention no later than five years after the date of entry into force of the Convention. The meeting may wish to request the secretariat to compile information provided by parties in that regard and submit it to the Conference for review at its third meeting.

(d) Review of Annex B referred to in paragraph 10 of article 5

38. Paragraph 6 of document UNEP/MC/COP.1/22 sets out the obligation on the Conference of the Parties under paragraph 10 of article 5 to review Annex B to the Convention no later than five years after the date of entry into force of the Convention. The meeting may wish to request the secretariat to compile information provided by parties in that regard and to submit it to the Conference for review at its third meeting.

(e) Guidance referred to in paragraphs 9 (a) and 9 (b) of article 8

39. Paragraph 9 of article 8 of the Convention, on emissions, provides that the Conference of the Parties shall, as soon as practicable, adopt guidance on criteria that parties may develop pursuant to paragraph 2 (b) of article 8 of the Convention, and on the methodology for preparing inventories of emissions. At its seventh session, the intergovernmental negotiating committee adopted those guidance documents on a provisional basis. The guidance documents are provided to the Conference in document UNEP/MC/COP.1/23, along with a draft decision for adoption.

(f) Guidance referred to in paragraphs 7 (a) and 7 (b) of article 9

40. Paragraph 7 of article 9 of the Convention provides that the Conference of the Parties shall, as soon as practicable, adopt guidance on best available techniques and best environmental practices, taking into account any differences between new and existing sources and the need to minimize cross-media effects, and guidance on the methodology for preparing inventories of releases. Document UNEP/MC/COP.1/24 sets out information on the matter. The Conference may wish to encourage parties and countries to identify relevant point sources at the national level pursuant to paragraph 3 of article 9 as soon as possible and submit information on such sources. The Conference may also wish to request the secretariat to compile and analyse submissions from parties and provide such information to the Conference of the Parties at its second meeting.

(g) Guidelines on the interim storage of mercury and mercury compounds referred to in paragraph 3 of article 10

41. Article 10 of the Convention provides that the Conference of the Parties shall adopt guidelines on the environmentally sound interim storage of mercury and mercury compounds, taking into account any relevant guidelines developed under the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal and other relevant guidance. In accordance with the request from the intergovernmental negotiating committee at its seventh session, the interim secretariat has prepared draft guidelines for consideration, which are set out in document UNEP/MC/COP.1/25, along with a draft decision for consideration by the Conference.

(h) Definition of mercury waste thresholds referred to in paragraph 2 of article 11

42. Article 11 of the Convention provides that the Conference of the Parties will define relevant thresholds for mercury waste. The secretariat has compiled information on such thresholds based on submissions, which are set out in document UNEP/MC/COP.1/26. The seventh session of the intergovernmental negotiating committee indicated that informal efforts to propose appropriate thresholds should be pursued by those with relevant expertise. The results of those efforts, led by the Government of Japan, are set out in document UNEP/MC/COP.1/INF/10. The Conference may wish to consider that information, as well as information previously submitted in document UNEP(DTIE)/Hg/INC.7/19.

43. Other relevant information relating to mercury waste management is set out in document UNEP/MC/COP.1/INF/6.

44. In addition, at its seventh session, the intergovernmental negotiating committee proposed the submission of draft decision text on waste for consideration by the first meeting of the Conference of the Parties to the Convention. The alternative texts proposed are set out in document UNEP/MC/COP.1/26/Add.1 for consideration by the Conference.

(i) Guidance on the management of contaminated sites referred to in paragraph 3 of article 12

45. Paragraph 3 of article 12 of the Convention, on contaminated sites, provides that the Conference of the Parties shall adopt guidance on managing contaminated sites. In accordance with a request from the intergovernmental negotiating committee at its seventh session, the secretariat has compiled existing guidance on contaminated sites, set out in document UNEP/MC/COP.1/27, to be used as the basis for a draft guidance document on the management of mercury-contaminated sites, an outline of its structure and a roadmap for its development. The Conference may wish to consider further work on the guidance on managing contaminated sites.

(j) Consideration of capacity-building, technical assistance and technology transfer as referred to in paragraph 4 and paragraph 5 of article 14, including any recommendations on how such activities could be further enhanced under article 14

46. Document UNEP/MC/COP.1/22 sets out the obligations of article 14 on considering information, needs and challenges in relation to alternative technologies and technology transfer. The Conference may wish to request the secretariat to request submissions and reports from parties and other stakeholders in that regard and to submit the information received to the Conference of the Parties at its second meeting for consideration.

(k) Consultation and collaboration with the World Health Organization, the International Labour Organization and other relevant intergovernmental organizations, and promotion of cooperation and exchange of information, as appropriate, in relation to health-related issues or activities, as referred to in paragraph 2 of article 16

47. Document UNEP/MC/COP.1/22 sets out information on consultation and collaboration on health issues between the Conference of the Parties, the World Health Organization, the International Labour Organization and other relevant intergovernmental organizations. Relevant information on the work of the World Health Organization in relation to chemicals is set out in document UNEP/MC/COP.1/INF/13. The Conference may wish to request the secretariat to continue working in cooperation and collaboration with those organizations.

Item 7**Venue and date of the second meeting of the Conference of the Parties**

48. The Conference of the Parties may wish to consider the venue and date of its second meeting, including the possibility of the bureau of the Conference being given the responsibility to decide on the venue and date of the second meeting. Potential host countries are encouraged to announce their offer to host the second meeting during the first meeting.

Item 8**Other matters**

49. The Conference of the Parties may wish to consider other matters raised during the meeting.

Item 9**Adoption of the report**

50. The Conference of the Parties will be invited to consider and adopt the report of its first meeting prepared by the rapporteur at a plenary meeting on Friday 29 September, with any amendments that may be necessary. Consistent with standard United Nations practice, the meeting may wish to agree that the section of the report pertaining to the plenary meetings that take place on the last day of the meeting will be prepared by the rapporteur, with the support of the secretariat, and incorporated into the report of the meeting under the authority of the President of the Bureau. The final report of the meeting, which will include as an annex any report adopted by the Committee of the Whole, will be circulated after the closure of the meeting.

Item 10**Closure of the meeting**

51. It is expected that the meeting of the Conference of the Parties will conclude its work by 6 p.m. on Friday 29 September 2017.